

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit:

Examiner: Kruse

1638

In re Application of

SEULBERGER et al.

09/462,629

Filed: January 11, 2000

For: DNA SEQUENCE ENCODING A HYDROXYPHENYLPYRUVATE

DIOXYGENASE, AND ITS OVERPRODUCTION IN PLANTS

10/30/2002 DTESSEM1 00000106 09462629

Serial No.

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

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Daniel S. Kim Person Making Deposit

Signature

October 23, 2002

Date of Signature

Honorable Commissioner of Patents and Trademarks Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This subject Supplemental Information Disclosure Statement is submitted in connection with applicants' continuing duty of disclosure under 37 CFR 1.56.

Listing of Relevant Documents

The relevant documents are listed in the attached Form PTO-1449.

Remarks

Concise Explanation of Relevance for Non-English Language Information:

This listed reference a doctoral thesis of Dr. Tamara Kleber-Jahnke. The references shows the work of Dr. Kleber-Jahnke who cloned a 802 bp DNA fragment (pHvDD36a1). The sequence is shown in figure 46a of page 104 of the reference. On page 104 and on page 121, the reference states that this DNA shows some homology to a gene coding for a 4-hydroxyphenylpyruvat-dioxygenase (HPPD) in *Streptomysces*, mice

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and humans. This result was achieved by homology comparison with the EMBL databank.

Attached is a check in the amount of \$180.00 to cover the fee for submission of the present IDS.

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11-0345. Please credit any excess fees to such account.

Respectfully submitted,

Jan Kun

KEIL & WEINKAUF

Daniel S. Kim Reg. No. 51,877

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TECH CENTER 1600/290 Sheet ____ of _ Form PTO-1449 **Document Number** Application Number 48141 09/462,629 PENEORMATION DISCLOSURE CITATION Applicant AN APPLICATION SEULBERGER et al. Group Art Unit Filing Date 1638 January 11, 2000 Use several sheets if necessary) THE TRADE **U.S. PATENT DOCUMENTS** Sub-Fing Exam. Document Class Date Init. Number Class Name FOREIGN PATENT DOCUMENTS Sub-Fing Document Class Date Number Class Date Country OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) "Dunkelinduzierte Seneszenzprozesse in Primärblättern der Gerste: ein Modellsystem zur Charakterisierung natürlicher Blattseneszenz, Dissertation zur Erlangung des Doktorgrades des Fachbereichs Biologie der Universität Hamburg, Tamara Kleber-Janke, Hamburg 1996." Pages 104 f. and 121 f.

> KEIL & WEINKAUF 1350 Connecticut Avenue, N.W. Washington, D.C. 20036

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation

if not in conformance and not considered. Include copy of this form with next communication to the applicant.

EXAMINER